

Cadwalader, Wickersham & Taft
ENVIRONMENTAL PROTECTION
AGENCY, REGION II

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April 21, 1987

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Chief, Site Investigation and
Compliance Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
26 Federal Plaza
New York, NY 10278

Attn: Nigel Robinson

Re: Administrative Order - Index No. CERCLA
50103; Asbestos Disposal Site -
Morris County, New Jersey

Dear Mr. Robinson:

This letter is written on behalf of National Gypsum Company to request an extension from the current date of May 29, 1987 until July 17, 1987 for the submittal of the Remedial Investigation ("RI") Report for the Asbestos Disposal Sites in Morris County, New Jersey. This request results from EPA's request that National Gypsum prepare the endangerment assessment component of the RI Report at "level II". Although the Administrative Order does not require a level II assessment, National Gypsum is agreeable to doing such and has instructed its principal consultant on this project, Fred C. Hart Associates ("Hart"), to proceed to prepare the assessment at level II. Hart has informed National Gypsum that it has the capability to

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perform the assessment at level II, but that under those circumstances, Hart will require until July 17, 1987 to complete the RI Report.

According to Hart, the extension to complete the RI Report with a level II endangerment assessment is needed for the following reasons:

1. Additional contaminants other than asbestos which need to be included in the endangerment assessment were only recently found on site during the RI.
2. A level II endangerment assessment involves additional requirements and a greater level of effort than that which is required by the Administrative Order (see provision I.C.). For example, a level II endangerment assessment requires more quantification of risks and a description of populations at risk.
3. Standards for one of the chemicals of concern at the sites (Phenylmercuric Acetate) does not appear to exist. Hart may therefore be forced to develop a toxicity assessment for that chemical.

Based on conversations with Mr. William Tucker, National Gypsum understands that EPA intends to retain a consultant to oversee the risk assessment component of the RI. National Gypsum has serious concerns about the loss of time, the expenditure of money and administrative confusion that could be caused by this development. Any effort by an oversight consultant consisting of more than the normal administrative review expected from an EPA technical supervisor would be duplicative and unnecessary and would not be within the spirit of the Administrative Order. For various reasons National Gypsum would not be required to reimburse EPA for its expenditures for such a consultant.

Because of National Gypsum's desire to expedite this project in cooperation with EPA, we propose that Hart submit a draft endangerment assessment to EPA and EPA's oversight consultant by July 1, 1987. EPA's oversight consultant would review and comment on the draft endangerment assessment prior to the final submittal of the RI report. In order for Hart to meet the proposed July 17, 1987 deadline, we further propose that the oversight consultant be required to submit comments to Hart prior to July 10, 1987 to allow Hart an opportunity to address the consultant's comments in the RI Report.

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Nigel Robinson

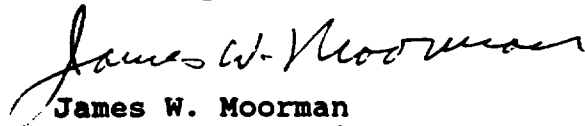
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Please approve this extension by certified mail, return receipt requested to:

Cadwalader, Wickersham & Taft
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036
Attn: James Moorman

Sincerely,



James W. Moorman
Counsel for National Gypsum Company

cc: William Tucker
Larry Worden
Tom Morahan

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